

mm 06-10-02 MP \$

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>		Docket No.
Applicant(s): William F. Crismore et al.		BMID9738REUS

Serial No. 10/008,788	Filing Date December 7, 2001	Examiner To Be Assigned	Group Art Unit 1743
--------------------------	---------------------------------	----------------------------	------------------------

Invention: ELECTROCHEMICAL BIOSENSOR TEST STRIP

I hereby certify that this Response to Notice to File Missing Parts of Application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on

JUNE 7, 2002

(Date)

MICHELE WILSON

(Typed or Printed Name of Person Mailing Correspondence)

Michelle Wilson

(Signature of Person Mailing Correspondence)

EL841987214US

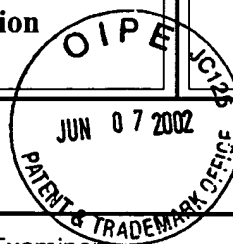
("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**BMID9738REUS**

In Re Application Of: **William F. Crismore et al.**



Serial No.  
**10/008,788**

Filing Date  
**December 7, 2001**

Examiner  
**To Be Assigned**

Group Art Unit  
**1743**

Invention: **ELECTROCHEMICAL BIOSENSOR TEST STRIP**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
**March 18, 2002**  
*Date*

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

**Statement Under 37 CFR 3.73(b), (1pg) Reissue Application: Consent of Assignee; Statement of Non-Assignment (1pg), and return postcard**

05/10/2002 BSAYASI1 00000026 022958 10008788

01 FC:115 110.00 CH

# Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Large Entity)

Docket No.  
**BMID9738REUS**

In Re Application Of: **William F. Crismore et al.**

Serial No.  
10/008,788

Filing Date  
**December 7, 2001**

Examiner  
To Be Assigned

Group Art Unit  
1743

**Invention: ELECTROCHEMICAL BIOSENSOR TEST STRIP**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

### Box Missing Parts

- ☒ Completion of application fees as calculated below:

- |   |                 |
|---|-----------------|
| <input type="checkbox"/> Utility application filing fee   | _____           |
| <input type="checkbox"/> Design application filing fee  | _____           |
| <input type="checkbox"/> Total number of independent claims = _____   | _____           |
| <input type="checkbox"/> Total number of claims = _____   | _____           |
| <input type="checkbox"/> Multiple dependent claims  | _____           |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <b>\$130.00</b> |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor               | _____           |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification                      | _____           |
| <input type="checkbox"/> Fee for processing and retention of application  | _____           |

**Total completion of application fees \$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☒ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: May 18, 2002 until: June 18, 2002  
Date Date

**Total time extension fees                      \$110.00**

**Total fees due                    \$240.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**BMID9738REUS**

In Re Application Of: **William F. Crismore et al.**

Serial No.  
**10/008,788**

Filing Date  
**December 7, 2001**

Examiner  
**To Be Assigned**

Group Art Unit  
**1743**

Invention: **ELECTROCHEMICAL BIOSENSOR TEST STRIP**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of **\$240.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-2958**  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-2958**  
A duplicate copy of this sheet is enclosed.

  
Signature

Dated: **6/6/02**

**Michelle Neff, Reg. No. 47,817  
Roche Diagnostics Corporation  
9115 Hague Road, Bldg D  
P.O. Box 50457  
Indianapolis, IN 46250-0457  
Telephone: (317) 521-2851  
Facsimile: (317) 521-2883**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY OF COMMERCE AND  
OWNER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

BMID 9738RE US

(MN)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,788	12/07/2001	William F. Crismore	BMID9738US

Roche Diagnostics Corporation  
9115 Hague Road Building D  
P O Box 50457  
Indianapolis, IN 45240-0457



Date Mailed: 03/18/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application:

☐ The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). A surcharge is not required when supplying this item.

☒ Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

☐ Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

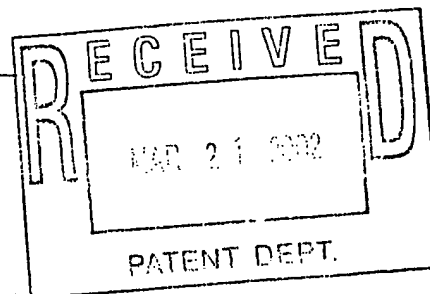
☒ Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

☐ Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

A copy of this notice **MUST** be returned with the reply.

Office of Initial Patent Examination (703) 308-1202

2/21/02  
RE  
Response due 5/18/02  
(final 9/18/02)





UNITED STATES PATENT AND TRADEMARK OFFICE

BMID 9738RE US  
(MNI)

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

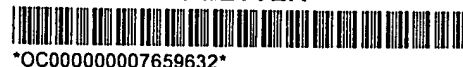
APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,788	12/07/2001	William F. Crismore	BMID9738US

Roche Diagnostics Corporation  
9115 Hague Road Building D  
P O Box 50457  
Indianapolis, IN 45240-0457



CONFIRMATION NO. 4748

FORMALITIES LETTER



\*OC000000007659632\*

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

**Filing Date Granted**

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

*A copy of this notice **MUST** be returned with the reply.*

*C. M. [Signature]*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

06/13/2002 BSAYAS11 00000026 022558 10008788  
02 FC:105 130.00 CH

3/21/02  
Re  
Response due 5/18/02  
(Final 9/18/02)

